

REMARKS

The Office Action mailed June 22, 2006 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-61 are pending in this application.

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested.

A restriction was imposed to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner alleges that the subject application contains claims directed to the following patentably distinct species of the claimed invention:

Species I, Claims 1-17, 22-56 and 61, drawn to maintaining information regarding an item, which comprises a building;

Species II, Claims 1, 18, 40 and 57, drawn to maintaining information regarding an item, which comprises an automobile;

Species III, Claims 1, 19, 40 and 58, drawn to maintaining information regarding an item, which comprises a pet;

Species IV, Claims 1, 20, 40 and 59, drawn to maintaining information regarding an item, which comprises a human; and

Species V, Claims 1, 21, 40 and 60, drawn to maintaining information regarding an item, which comprises a lawn.

Applicant elects, with traverse, Species I, Claims 1-17, 22-56 and 61, for prosecution on the merits. Applicant respectfully submits that only Claims 9, 31 and 48 specifically recite that the item comprises a building. At least Claims 1-8, 10-17, 22-30, 32-47, 49-56 and 61 are generic to Species I, II, III, IV and V.

The requirement for election is traversed because Species I, II, III, IV and V are clearly related. A thorough search and examination of one Species would be relevant to the examination of the other Species.

Regarding Species I, II, III, IV and V, the Examiner alleges that the species are "patentably distinct." Applicant notes, however, that Species I, II, III, IV and V are all directed to maintaining information regarding an item, as set forth in at least independent

Claims 1, 23 and 40. Therefore, Applicant respectfully submits that the claims of Species I, II, III, IV and V have an overlapping nature such that a search and examination of Species I, II, III, IV and V can be made without serious burden.

MPEP section 803 states that if “the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.”

Applicant respectfully submits that the search and examination of the entire application (Species I, II, III, IV and V) can be made without serious burden. For at least the reasons set forth above, Applicant respectfully requests examination of Species I, II, III, IV and V.

In addition, requirements for election are not mandatory under 35 U.S.C. § 121. Accordingly, reconsideration of the restriction requirement is requested.

Respectfully submitted,



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